

## REMARKS

The undersigned attorney acknowledges with appreciation the telephone interview granted by Examiner Doroshenk on November 29, 2004. This amendment is filed under the provisions of 37 CFR § 1.116 in response to the Advisory Action dated August 6, 2004 and to make further amendments in the claims, as discussed briefly with the Examiner, in order to distinguish independent claims 11 and 17 from the patent to Platz. While no agreement was reached in the telephone interview, it is respectfully submitted for reasons set forth below, that the claims, upon entry of the foregoing amendment, are patentable over the prior art.

The Advisory Action, in addition to allowing claims 16, 23 and 24, indicated that claims 21 and 22 would be allowable if presented in independent form. It is believed that claim 18 also falls in the same category as claims 21 and 22 since claim 18 is directed to a liquid phase reactor and is not rejected over prior art. Accordingly, since the rejection under the first paragraph of 35 U.S.C. § 112 was withdrawn in the Advisory Action, it would appear that claim 18 would also be allowable if presented in independent form.

By this amendment, claims 18 and 21 have been amended to place them in independent form. Accordingly, these claims, along with claim 22 which depends from claim 21, would appear to be in condition for allowance, along with previously allowed claims 16, 23 and 24.

Additional amendments have also been made to independent claims 11 and 17 in view of the comments found in the Advisory Action relative to the recitation of an outlet for releasing waste gases as found in applicant's claims 11 and 17 and the recycle stream for reactor 10 of Platz. As shown in the flow schematic of applicant's Fig. 1, the preliminary reactor has two outlets in addition to the outlet leading to the main reactor. One outlet provides for the release of waste gases from the preliminary reactor. The other outlet is connected to a recycle line which incorporates a pump to provide for recycle of unreacted olefin back to the bottom of the

preliminary reactor, along with additional olefin supplied through line 14. Claims 11 and 17 have been amended to call for two outlets in the preliminary reactor (in addition to the outlet leading to the main reactor), one for releasing waste gases and the other providing for the recycle function. In addition, claims 11 and 17 have also been amended to specifically recite the outlet (outlet 8 in Fig. 1) which is connected to the inlet (line 10) leading to the main reactor.

While applicant would not agree with any interpretation of applicant's claims in which an outlet for releasing waste gases from the preliminary reactor is construed to mean a recycle system of the type shown in Platz for reactor 10, the amendment of claims 11 and 17 as discussed above to include two outlets, one for releasing waste gases, and the other for recycle, clearly avoids any issue of anticipation of the claims by Platz. Other than the line extending from the first reactor to the second reactor in Platz, there clearly is only one outlet, no matter how it is characterized, leading from the first reactor in Platz.

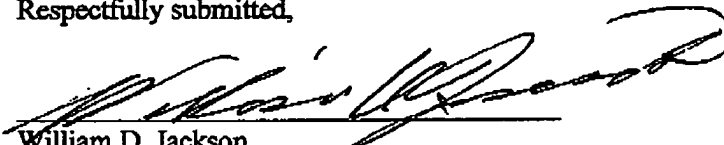
Further, with respect to claims 13 and 19 directed to loop-type reactors, it is noted that applicant's comments found in the July 8, 2004 Supplemental Amendment under 35 U.S.C. § 116 are not intended to indicate agreement that the reactor 40 of Platz is a loop-type reactor. It is noted that the term "loop" as used in these remarks was placed in quotes and clearly was not intended to suggest that the Platz reactors are loop-type reactors, but instead, the quoted term was used to denote the recirculation system involved in Platz. The Platz reactors clearly are not loop-type reactors as was noted in applicant's previous response.

It is respectfully requested that this amendment be entered under the provisions of 37 CFR § 1.116 as placing the application in condition for allowance or alternatively, in better form for appeal.

Applicant requests a two-month extension for response, thus extending the response date for further action after applicant's Notice of Appeal filed August 9, 2004 to December 9, 2004.

The Commissioner is hereby authorized to charge the fee for the two-month extension for response for a large entity, as well as any other fee due in connection with this communication, to the Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,



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